

REMARKS

This Amendment is responsive to the Office Action dated June 8, 2006. Claims 1-20 were pending in the application but claims 1-13 were withdrawn from consideration. In the Office Action, claims 14-20 were rejected. In this Amendment, claim 14 was amended. Claims 14-20 thus remain for consideration.

Applicant submits that claims 14-20 are in condition for allowance and requests withdrawal of the rejections in light of the following remarks.

Objection to the Specification

The disclosure was objected to because of informalities.

The specification was amended as suggested by the Examiner; accordingly the above objection should be removed.

§ 102 Rejections

Claims 14-20 were rejected under 35 U.S.C. 102(b) as being anticipated by Bonutti (USPN 5,716,325).

Applicant submits that the independent claim (Claim 14) is patentable over Bonutti.

Applicant's invention as recited in independent claim 14 is directed toward a method using a clear view cannula in arthroscopic surgery. For example, independent claim 14 specifies that the method comprises the steps of: a. providing a clear view cannula, b. making an arthroscopic penetration of a body wall of a patient, c. moving the cylindrical sleeve distally relative to the tubular body, and d. returning the clear view

cannula to the first position. Claim 14 further specifies that the clear view cannula has liquid prevention means that prevents liquid found within the joint cavity from leaking out of the cannula. (See ¶¶ 0028 and 0029)

Bonutti does not disclose a cannula that has liquid prevention means for preventing liquid found within a joint cavity from leaking out of the cannula.

Bonutti discloses a retractor for use in arthroscopic surgery. The portions of Bonutti relied upon by the Examiner do not teach or suggest any means of preventing liquid from leaking from the retractor. That is, if fluid enters the retractor of Bonutti, the fluid will flow out of the proximal end of the retractor causing the fluid to enter the workspace of the surgeon thereby possibly causing difficulties during the procedure.

Since Bonutti do not disclose liquid prevention means for preventing liquid found within the joint cavity from leaking out of the cannula, Applicant believes that independent claims 1 and 8 are patentable over Bonutti on at least this basis.

Claims 15-20 depend on claim 14. Since claim 14 is believed to be patentable over Bonutti, claims 15-20 are believed to be patentable over Bonutti on the basis of their dependency on claim 14.


CONCLUSION

Applicant respectfully submits that all of the claims now pending in the application are in condition for allowance, which action is earnestly solicited.

If any issues remain, or if the Examiner has any further suggestions, he/she is invited to call the undersigned at the telephone number provided below.

The Examiner is hereby authorized to charge any insufficient fees or credit any overpayment associated with the above-identified application to Deposit Account No. 06-0515.

Respectfully submitted,


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